

**RESPONSE TO OFFICE ACTION****Serial No. 10/572,002****Page 6 of 8****REMARKS**

This response is intended as a complete response to the Office Action dated June 1, 2005. In view of the following discussion, the Applicant believes that all claims are in allowable form.

**SPECIFICATION**

The Applicant has hereby amended the specification to provide the continuing data as requesting by the Examiner.

Specifically, the Application has been amended to indicate the priority claimed in the transmittal letter submitted upon filing of the present application. The priority claim has also been amended to correct the nature of the relationship of this application to the parent. In particular, the priority claim has been amended to correctly indicate that the present application is a continuation, rather than a divisional, of the parent application.

Accordingly, the Applicant respectfully requests that the Examiner enter the amendment and remove the objection to the disclosure.

**CLAIM REJECTIONS****A. 35 U.S.C. §112 Claim 1**

Claim 1 stands rejected as being indefinite under 35 USC §112. However, claim 1 has been cancelled. Accordingly, the Applicant submits that the present rejection is moot.

**B. 35 U.S.C. §102 Claim 1**

Claim 1 stands rejected as being anticipated by United States Patent 5,532,190 Issued on July 2, 1996 to *Goodyear, et al.* (hereinafter *Goodyear*). However, claim 1 has been cancelled. Accordingly, the Applicant submits that the present rejection is moot.

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**NEW CLAIMS**

New claims 2-19 have been added to the application. New claims 2-19 are supported by the specification and add no new matter. The Applicant submits that new claims 2-19 are patentable over the cited art.

Specifically, the cited art fails to teach or suggest etching the substrate in a first step by supplying a first etch gas at a first rate to a first portion of the substrate through a first flow channel and supplying the first etch gas at a second rate to a second portion of the substrate through a second flow channel, wherein the first rate is different than the second rate; and etching the substrate in a second step by supplying a second etch gas at a third rate to the first portion of the substrate through the first flow channel; and supplying the second etch gas at a fourth rate to the second portion of the substrate through the second flow channel, wherein the third rate is different than the fourth rate, as recited in claim 2.

The cited art further fails to teach or suggest controlling the supply of a first etch gas to a first portion of the substrate through a first flow channel and to a second portion of the substrate through a second flow channel to etch the substrate during a first etch step; and controlling the supply of a second etch gas to the first portion of the substrate through the first flow channel and to the second portion of the substrate through the second flow channel during a second etch step, as recited in claim 17.

Accordingly, the Applicant respectfully requests allowance of these claims.

**CONCLUSION**

Thus, the Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

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If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Alan Taboada at (732) 935-7100 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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